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Fred Thiel, and Nominal Defendant Marathon  
Digital Holdings Inc.*

22 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

23 IN RE MARATHON DIGITAL HOLDINGS, | Lead Case No. 2:23-cv-01055-RFB-BNW  
24 INC. DERIVATIVE LITIGATION

25 This Document Relates to:  
26 ALL ACTIONS

27 **STIPULATION AND [PROPOSED]  
ORDER SETTING SCHEDULE**

28 Pursuant to this Court's May 21, 2024 Order (ECF No. 47), Plaintiffs filed their  
Consolidated Complaint on June 25, 2024 (ECF No. 48), and Defendants filed their motion to  
dismiss Plaintiffs' Consolidated Complaint on August 9, 2024 (ECF No. 50). The Parties have  
discussed scheduling and other business commitments and vacation schedules and stipulate and

agree as follows: Plaintiffs shall file their opposition to Defendants' motion to dismiss on or before October 8, 2024, and Defendants shall file their reply in support of their motion to dismiss on or before November 7, 2024. This schedule is not intended to cause any delay in this matter.

Dated: August 12, 2024

LEVERTY & ASSOCIATED LAW CHTD.

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7 *Leupp, Doug Mellinger, Merrick Okamoto, Said*  
8 *Ouissal, Simeon Salzman, and Fred Thiel, and*  
9 *Nominal Defendant Marathon Digital Holdings Inc.*

## **ORDER**

IT IS SO ORDERED. Plaintiffs shall file their response to Defendants' motion to dismiss on or before October 8, 2024. Defendants shall file their reply in support of their motion to dismiss on or before November 7, 2024.

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**UNITED STATES DISTRICT COURT JUDGE**

**DATED:** August 13, 2024.